

# Senate Study Bill 1305

SENATE/HOUSE FILE \_\_\_\_\_  
BY (PROPOSED COMMITTEE ON  
APPROPRIATIONS BILL BY JOINT  
APPROPRIATIONS SUBCOMMITTEE  
ON AGRICULTURE AND NATURAL  
RESOURCES)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to and making appropriations involving state  
2 government, by providing for agriculture, natural resources,  
3 and environmental protection.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5 TLSB 1127JB 82

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1 1 DIVISION I  
1 2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP  
1 3 GENERAL APPROPRIATIONS  
1 4 Section 1. GENERAL FUND == DEPARTMENT. There is  
1 5 appropriated from the general fund of the state to the  
1 6 department of agriculture and land stewardship for the fiscal  
1 7 year beginning July 1, 2007, and ending June 30, 2008, the  
1 8 following amount, or so much thereof as is necessary, to be  
1 9 used for the purposes designated:  
1 10 For purposes of supporting the department, including its  
1 11 divisions, for administration, regulation, and programs, for  
1 12 salaries, support, maintenance, miscellaneous purposes, and  
1 13 for not more than the following full-time equivalent  
1 14 positions:  
1 15 ..... \$ 18,384,862  
1 16 ..... FTEs 444.6  
1 17 DESIGNATED APPROPRIATIONS == ANIMAL HUSBANDRY  
1 18 Sec. 2. GENERAL FUND == CHRONIC WASTING DISEASE CONTROL  
1 19 PROGRAM. There is appropriated from the general fund of the  
1 20 state to the department of agriculture and land stewardship  
1 21 for the fiscal year beginning July 1, 2007, and ending June  
1 22 30, 2008, the following amount, or so much thereof as is  
1 23 necessary, to be used for the purposes designated:  
1 24 For purposes of administering a chronic wasting disease  
1 25 control program for the control of chronic wasting disease  
1 26 which threatens farm deer as provided in chapter 170,  
1 27 including for salaries, support, maintenance, and  
1 28 miscellaneous purposes:  
1 29 ..... \$ 100,000  
1 30 The program may include procedures for the inspection and  
1 31 testing of farm deer, responses to reported cases of chronic  
1 32 wasting disease, and methods to ensure that owners of farm  
1 33 deer may engage in the movement and sale of farm deer.  
1 34 Sec. 3. HORSE AND DOG RACING. There is appropriated from  
1 35 the moneys available under section 99D.13 to the department of  
2 1 agriculture and land stewardship for the fiscal year beginning  
2 2 July 1, 2007, and ending June 30, 2008, the following amount,  
2 3 or so much thereof as is necessary, to be used for the  
2 4 purposes designated:  
2 5 For purposes of supporting the department's administration  
2 6 and enforcement of horse and dog racing law pursuant to  
2 7 section 99D.22, including for salaries, support, maintenance,  
2 8 and miscellaneous purposes:  
2 9 ..... \$ 305,516  
2 10 Sec. 4. GENERAL FUND == DAIRY PRODUCTS CONTROL. There is  
2 11 appropriated from the general fund of the state to the  
2 12 department of agriculture and land stewardship for the fiscal  
2 13 year beginning July 1, 2007, and ending June 30, 2008, the  
2 14 following amount, or so much thereof as is necessary, to be  
2 15 used for the purposes designated:

2 16 For purposes of supporting the operations of the dairy  
 2 17 products control bureau, including for salaries, support,  
 2 18 maintenance, and miscellaneous purposes:  
 2 19 ..... \$ 951,666  
 2 20 Sec. 5. GENERAL FUND == AVIAN INFLUENZA CONTROL. There is  
 2 21 appropriated from the general fund of the state to the  
 2 22 department of agriculture and land stewardship for the fiscal  
 2 23 year beginning July 1, 2007, and ending June 30, 2008, the  
 2 24 following amount, or so much thereof as is necessary, to be  
 2 25 used for the purpose designated:  
 2 26 For purposes of controlling avian influenza by conducting  
 2 27 testing and monitoring:  
 2 28 ..... \$ 50,000  
 2 29 Notwithstanding section 8.33, moneys appropriated in this  
 2 30 section that remain unencumbered or unobligated at the close  
 2 31 of the fiscal year shall not revert but shall remain available  
 2 32 to be used for the continued testing and monitoring of avian  
 2 33 influenza.  
 2 34 DESIGNATED APPROPRIATION == PLANT PROTECTION AND  
 2 35 CROP PRODUCTION  
 3 1 Sec. 6. GENERAL FUND == APIARY LAW. There is appropriated  
 3 2 from the general fund of the state to the department of  
 3 3 agriculture and land stewardship for the fiscal year beginning  
 3 4 July 1, 2007, and ending June 30, 2008, the following amount,  
 3 5 or so much thereof as is necessary, to be used for the  
 3 6 purposes designated:  
 3 7 For purposes of administering and enforcing apiary law as  
 3 8 provided in chapter 160, including for salaries, support,  
 3 9 maintenance, and miscellaneous purposes:  
 3 10 ..... \$ 40,000  
 3 11 Sec. 7. GYPSY MOTH CONTROL. There is appropriated from  
 3 12 the general fund of the state to the department of agriculture  
 3 13 and land stewardship for the fiscal year beginning July 1,  
 3 14 2007, and ending June 30, 2008, the following amount, or so  
 3 15 much thereof as is necessary, to be used for the purposes  
 3 16 designated:  
 3 17 For the control of the pest commonly referred to as the  
 3 18 gypsy moth, including but not limited to the detection,  
 3 19 surveillance, and eradication of the gypsy moth:  
 3 20 ..... \$ 75,000  
 3 21 Sec. 8. EMERALD ASH BORER PUBLIC AWARENESS PROJECT. There  
 3 22 is appropriated from the general fund of the state to the  
 3 23 department of agriculture and land stewardship for the fiscal  
 3 24 year beginning July 1, 2007, and ending June 30, 2008, the  
 3 25 following amount, or so much thereof as is necessary, to be  
 3 26 used for the purposes designated:  
 3 27 For the support of a public awareness project to inform  
 3 28 persons regarding the presence and danger of the pest commonly  
 3 29 known as the emerald ash borer:  
 3 30 ..... \$ 25,000  
 3 31 Sec. 9. GENERAL FUND == SOIL AND WATER CONSERVATION  
 3 32 DISTRICTS. There is appropriated from the general fund of the  
 3 33 state to the department of agriculture and land stewardship  
 3 34 for the fiscal year beginning July 1, 2007, and ending June  
 3 35 30, 2008, the following amount, or so much thereof as is  
 4 1 necessary, to be used for the purposes designated:  
 4 2 For purposes of reimbursing commissioners of soil and water  
 4 3 conservation districts for administrative expenses including  
 4 4 but not limited to travel expenses, technical training, and  
 4 5 professional dues:  
 4 6 ..... \$ 250,000  
 4 7 A soil and water conservation district receiving moneys  
 4 8 from an allocation provided pursuant to this section shall  
 4 9 submit a report to the soil conservation division of the  
 4 10 department of agriculture and land stewardship by July 1,  
 4 11 2008, accounting for moneys which have been expended or  
 4 12 unexpended or which have been obligated or encumbered. The  
 4 13 report shall state how the moneys were used.  
 4 14 DESIGNATED APPROPRIATIONS == FOOD MARKETING AND SECURITY  
 4 15 Sec. 10. GENERAL FUND == SENIOR FARMERS MARKET NUTRITION  
 4 16 PROGRAM. There is appropriated from the general fund of the  
 4 17 state to the department of agriculture and land stewardship  
 4 18 for the fiscal year beginning July 1, 2007, and ending June  
 4 19 30, 2008, the following amount, or so much thereof as is  
 4 20 necessary, to be used for the purposes designated:  
 4 21 For purposes of administering a senior farmers market  
 4 22 nutrition program, including salaries, support, maintenance,  
 4 23 and miscellaneous purposes:  
 4 24 ..... \$ 77,000  
 4 25 Sec. 11. EMERGENCY VETERINARIAN RAPID RESPONSE SERVICES  
 4 26 PROGRAM. There is appropriated from the general fund of the

4 27 state to the department of agriculture and land stewardship  
4 28 for the fiscal year beginning July 1, 2007, and ending June  
4 29 30, 2008, the following amount, or so much thereof as is  
4 30 necessary, to be used for the purposes designated:  
4 31 For purposes of supporting veterinary emergency  
4 32 preparedness and response services necessary to prevent or  
4 33 control a serious threat to the public health, public safety,  
4 34 or the state's economy caused by the transmission of disease  
4 35 among livestock or agricultural animals, including as provided  
5 1 in section 163.3A:

5 2 ..... \$ 130,000

5 3 Sec. 12. ORGANIC AGRICULTURAL PRODUCTS. There is  
5 4 appropriated from the general fund of the state to the  
5 5 department of agriculture and land stewardship for the fiscal  
5 6 year beginning July 1, 2007, and ending June 30, 2008, the  
5 7 following amount, or so much thereof as is necessary, to be  
5 8 used for the purposes designated:

5 9 For purposes of supporting the department's regulation and  
5 10 promotion of organic agricultural products as provided in  
5 11 chapter 190C, including salaries, support, maintenance,  
5 12 miscellaneous purposes, and for not more than the following  
5 13 full-time equivalent positions:

5 14 ..... \$ 54,671  
5 15 ..... FTEs 1.00

5 16 DIVISION II

5 17 DEPARTMENT OF NATURAL RESOURCES

5 18 GENERAL APPROPRIATIONS

5 19 Sec. 13. GENERAL FUND == DEPARTMENT. There is  
5 20 appropriated from the general fund of the state to the  
5 21 department of natural resources for the fiscal year beginning  
5 22 July 1, 2007, and ending June 30, 2008, the following amount,  
5 23 or so much thereof as is necessary, to be used for the  
5 24 purposes designated:

5 25 For purposes of supporting the department, including its  
5 26 divisions, for administration, regulation, and programs, for  
5 27 salaries, support, maintenance, miscellaneous purposes, and  
5 28 for not more than the following full-time equivalent  
5 29 positions:

5 30 ..... \$ 19,137,968  
5 31 ..... FTEs 1,143.43

5 32 Sec. 14. STATE FISH AND GAME PROTECTION FUND == DIVISION  
5 33 OF FISH AND WILDLIFE.

5 34 1. a. There is appropriated from the state fish and game  
5 35 protection fund to the department of natural resources for the  
6 1 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
6 2 the following amount, or so much thereof as is necessary, to  
6 3 be used for the purposes designated:

6 4 For purposes of supporting the division of fish and  
6 5 wildlife, including for administration, regulation, and  
6 6 programs, and for salaries, support, maintenance, equipment,  
6 7 and miscellaneous purposes:

6 8 ..... \$ 36,371,314

6 9 b. Notwithstanding section 455A.10, the department may use  
6 10 the unappropriated balance remaining in the state fish and  
6 11 game protection fund to provide for the funding of health and  
6 12 life insurance premium payments from unused sick leave  
6 13 balances of conservation peace officers employed in a  
6 14 protection occupation who retire, pursuant to section 97B.49B.

6 15 2. The department shall not expend more moneys from the  
6 16 state fish and game protection fund than provided in this  
6 17 section, unless the expenditure derives from contributions  
6 18 made by a private entity, or a grant or moneys received from  
6 19 the federal government, and is approved by the natural  
6 20 resource commission. The department of natural resources  
6 21 shall promptly notify the legislative services agency and the  
6 22 chairpersons and ranking members of the joint appropriations  
6 23 subcommittee on agriculture and natural resources concerning  
6 24 the commission's approval.

6 25 Sec. 15. GROUNDWATER PROTECTION FUND == WATER QUALITY.

6 26 There is appropriated from the groundwater protection fund  
6 27 created in section 455E.11 to the department of natural  
6 28 resources for the fiscal year beginning July 1, 2007, and  
6 29 ending June 30, 2008, from those moneys which are not  
6 30 allocated pursuant to that section, the following amount, or  
6 31 so much thereof as is necessary, to be used for the purposes  
6 32 designated:

6 33 For purposes of supporting the department's protection of  
6 34 the state's groundwater, including for administration,  
6 35 regulation, and programs, and for salaries, support,  
7 1 maintenance, equipment, and miscellaneous purposes:

7 2 ..... \$ 3,455,832

7 3 Sec. 16. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM  
7 4 PERMIT FUND. There is appropriated from the national  
7 5 pollutant discharge elimination system permit fund created in  
7 6 section 455B.196 to the department of natural resources for  
7 7 the fiscal year beginning July 1, 2007, and ending June 30,  
7 8 2008, the following amount, or so much thereof as is  
7 9 necessary, to be used for the purposes designated:

7 10 For purposes of expediting the department's processing of  
7 11 national pollutant discharge elimination system applications  
7 12 and the issuance of permits, including salaries, support,  
7 13 maintenance, and miscellaneous purposes:  
7 14 ..... \$ 700,000

7 15 DESIGNATED APPROPRIATIONS == MISCELLANEOUS

7 16 Sec. 17. UNASSIGNED REVENUE FUND == UNDERGROUND STORAGE  
7 17 TANK SECTION EXPENSES. There is appropriated from the  
7 18 unassigned revenue fund administered by the Iowa comprehensive  
7 19 underground storage tank fund board, to the department of  
7 20 natural resources for the fiscal year beginning July 1, 2007,  
7 21 and ending June 30, 2008, the following amount, or so much  
7 22 thereof as is necessary, to be used for the purpose  
7 23 designated:

7 24 For purposes of paying for administration expenses of the  
7 25 department's underground storage tank section:  
7 26 ..... \$ 200,000

7 27 Sec. 18. STORMWATER DISCHARGE PERMIT FEES == SUPPORT FOR  
7 28 SPECIAL PURPOSES. Notwithstanding any contrary provision of  
7 29 state law, for the fiscal year beginning July 1, 2006, and  
7 30 ending June 30, 2007, the department of natural resources may  
7 31 use additional moneys available to the department collected  
7 32 from storm water discharge permit fees as provided in section  
7 33 455B.103A or 455B.197 for the staffing of the following  
7 34 additional full-time equivalent positions for the purposes  
7 35 designated:

8 1 1. For purposes of reducing the department's floodplain  
8 2 permit backlog:  
8 3 ..... FTEs 2.00

8 4 2. For purposes of implementing the federal total maximum  
8 5 daily load program:  
8 6 ..... FTEs 2.00

8 7 DIVISION III  
8 8 IOWA STATE UNIVERSITY

8 9 Sec. 19. AGRICULTURAL REMEDIATION FUND == OPEN FEEDLOT  
8 10 WATER QUALITY RESEARCH PROJECT. There is appropriated from  
8 11 the agricultural remediation fund created in section 161.7 to  
8 12 the Iowa state university of science and technology for the  
8 13 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
8 14 the following amount, or so much thereof as is necessary, to  
8 15 be used for the purposes designated:

8 16 For purposes of supporting a water quality research project  
8 17 which studies the effectiveness of alternative technologies  
8 18 used to reduce risks to water quality from effluent  
8 19 originating from open feedlots which house beef cattle:  
8 20 ..... \$ 50,000

8 21 In conducting the project, Iowa state university shall  
8 22 cooperate with the Iowa cattlemen's association, the  
8 23 department of natural resources, the department of agriculture  
8 24 and land stewardship, and the United States department of  
8 25 agriculture natural resource conservation service.

8 26 Sec. 20. VETERINARY DIAGNOSTIC LABORATORY.  
8 27 1. There is appropriated from the general fund of the  
8 28 state to Iowa state university of science and technology for  
8 29 the fiscal year beginning July 1, 2007, and ending June 30,  
8 30 2008, the following amount, or so much thereof as is  
8 31 necessary, to be used for the purposes designated:

8 32 For purposes of supporting the college of veterinary  
8 33 medicine for the operation of the veterinary diagnostic  
8 34 laboratory:  
8 35 ..... \$ 2,000,000

9 1 2. Iowa state university of science and technology shall  
9 2 not reduce the amount that it allocates to support the college  
9 3 of veterinary medicine from any other source due to the  
9 4 appropriation made in this section.

9 5 3. If by the end of the fiscal year, Iowa state university  
9 6 of science and technology fails to allocate the moneys  
9 7 appropriated in this section to the college of veterinary  
9 8 science in accordance with this section, the moneys  
9 9 appropriated in this section for that fiscal year shall revert  
9 10 to the general fund of the state.

9 11 Sec. 21. VETERINARY DIAGNOSTIC LABORATORY == FUTURE YEARS.  
9 12 It is the intent of the general assembly that a future general  
9 13 assembly appropriate moneys to Iowa state university of

9 14 science and technology for the designated fiscal years, or so  
 9 15 much thereof as is necessary, to be used for the purposes  
 9 16 designated:  
 9 17 For purposes of supporting the college of veterinary  
 9 18 medicine for the operation of the veterinary diagnostic  
 9 19 laboratory:  
 9 20 1. FY 2008=2009..... \$ 3,000,000  
 9 21 2. FY 2009=2010..... \$ 4,000,000

DIVISION IV

ENVIRONMENT FIRST FUND

9 24 Sec. 22. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP.

9 25 There is appropriated from the environment first fund created  
 9 26 in section 8.57A to the department of agriculture and land  
 9 27 stewardship for the fiscal year beginning July 1, 2007, and  
 9 28 ending June 30, 2008, the following amounts, or so much  
 9 29 thereof as is necessary, to be used for the purposes  
 9 30 designated:

9 31 1. a. For the conservation reserve enhancement program  
 9 32 (CREP) to restore and construct wetlands for the purposes of  
 9 33 intercepting tile line runoff, reducing nutrient loss,  
 9 34 improving water quality, and enhancing agricultural production  
 9 35 practices:

10 1 ..... \$ 1,500,000  
 10 2 b. Not more than 5 percent of the moneys appropriated in  
 10 3 paragraph "a" may be used for costs of administration and  
 10 4 implementation of soil and water conservation practices.

10 5 2. a. For continuation of a program that provides  
 10 6 multiobjective resource protections for flood control, water  
 10 7 quality, erosion control, and natural resource conservation:  
 10 8 ..... \$ 2,550,000

10 9 b. Not more than 5 percent of the moneys appropriated in  
 10 10 paragraph "a" may be used for costs of administration and  
 10 11 implementation of soil and water conservation practices.

10 12 3. a. For continuation of a statewide voluntary farm  
 10 13 management demonstration program to demonstrate the  
 10 14 effectiveness and adaptability of emerging practices in  
 10 15 agronomy that protect water resources and provide other  
 10 16 environmental benefits:  
 10 17 ..... \$ 850,000

10 18 b. Not more than 5 percent of the moneys appropriated in  
 10 19 paragraph "a" may be used for costs of administration and  
 10 20 implementation of soil and water conservation practices.

10 21 c. Of the amount appropriated in paragraph "a", \$400,000  
 10 22 shall be allocated to the Iowa soybean association's  
 10 23 agriculture and environment performance program.

10 24 4. a. For deposit in the agricultural drainage well water  
 10 25 quality assistance fund created in section 460.303 to be used  
 10 26 for purposes of supporting the agricultural drainage well  
 10 27 water quality assistance program as provided in section  
 10 28 460.304:  
 10 29 ..... \$ 1,500,000

10 30 b. Not more than 5 percent of the moneys appropriated in  
 10 31 paragraph "a" may be used for costs of administration and  
 10 32 implementation of soil and water conservation practices.

10 33 5. a. For use by the soil conservation division, to  
 10 34 provide financial assistance for the establishment of  
 10 35 permanent soil and water conservation practices:

11 1 ..... \$ 7,000,000  
 11 2 b. Not more than 5 percent of the moneys appropriated in  
 11 3 paragraph "a" may be allocated for cost-sharing to abate  
 11 4 complaints filed under section 161A.47.

11 5 c. Of the moneys appropriated in paragraph "a", 5 percent  
 11 6 shall be allocated for financial incentives to establish  
 11 7 practices to protect watersheds above publicly owned lakes of  
 11 8 the state from soil erosion and sediment as provided in  
 11 9 section 161A.73.

11 10 d. Not more than 30 percent of a soil and water  
 11 11 conservation district's allocation of moneys as financial  
 11 12 incentives may be provided for the purpose of establishing  
 11 13 management practices to control soil erosion on land that is  
 11 14 row-cropped, including but not limited to no-till planting,  
 11 15 ridge-till planting, contouring, and contour strip-cropping as  
 11 16 provided in section 161A.73.

11 17 e. The state soil conservation committee created in  
 11 18 section 161A.4 may allocate moneys appropriated in paragraph  
 11 19 "a" to conduct research and demonstration projects to promote  
 11 20 conservation tillage and nonpoint source pollution control  
 11 21 practices.

11 22 f. The allocation of moneys as financial incentives as  
 11 23 provided in section 161A.73 may be used in combination with  
 11 24 moneys allocated by the department of natural resources.

11 25 g. Not more than 10 percent of the moneys appropriated in  
 11 26 paragraph "a" may be used for costs of administration and  
 11 27 implementation of soil and water conservation practices.  
 11 28 6. a. To encourage and assist farmers in enrolling in and  
 11 29 the implementation of federal conservation programs and to  
 11 30 work with them to enhance their revegetation efforts to  
 11 31 improve water quality and habitat:  
 11 32 ..... \$ 1,500,000  
 11 33 b. Not more than 5 percent of the moneys appropriated in  
 11 34 paragraph "a" may be used for costs of administration and  
 11 35 implementation of soil and water conservation practices.  
 12 1 7. a. For deposit in the loess hills development and  
 12 2 conservation fund created in section 161D.2:  
 12 3 ..... \$ 600,000  
 12 4 b. (1) Of the amount appropriated in paragraph "a",  
 12 5 \$400,000 shall be allocated to the fund's hungry canyons  
 12 6 account.  
 12 7 (2) Not more than 10 percent of the moneys allocated to  
 12 8 the hungry canyons account as provided in subparagraph (1) may  
 12 9 be used for administrative costs.  
 12 10 c. (1) Of the amount appropriated in paragraph "a",  
 12 11 \$200,000 shall be allocated to the fund's loess hills alliance  
 12 12 account.  
 12 13 (2) Not more than 10 percent of the moneys allocated to  
 12 14 the loess hills alliance account as provided in subparagraph  
 12 15 (1) may be used for administrative costs.  
 12 16 8. a. For deposit in the southern Iowa development and  
 12 17 conservation fund created in section 161D.12:  
 12 18 ..... \$ 300,000  
 12 19 b. Not more than 5 percent of the moneys appropriated in  
 12 20 paragraph "a" may be used for administrative costs.  
 12 21 Sec. 23. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is  
 12 22 appropriated from the environment first fund created in  
 12 23 section 8.57A to the department of economic development for  
 12 24 the fiscal year beginning July 1, 2007, and ending June 30,  
 12 25 2008, the following amount, or so much thereof as is  
 12 26 necessary, to be used for the purposes designated:  
 12 27 For deposit in the brownfield redevelopment fund created in  
 12 28 section 15.293 to provide financial and technical assistance  
 12 29 under the brownfield redevelopment program as provided in  
 12 30 section 15.292:  
 12 31 ..... \$ 500,000  
 12 32 Sec. 24. DEPARTMENT OF NATURAL RESOURCES. There is  
 12 33 appropriated from the environment first fund created in  
 12 34 section 8.57A to the department of natural resources for the  
 12 35 fiscal year beginning July 1, 2007, and ending June 30, 2008,  
 13 1 the following amounts, or so much thereof as is necessary, to  
 13 2 be used for the purposes designated:  
 13 3 1. For statewide coordination of volunteer efforts under  
 13 4 the water quality and keepers of the land programs:  
 13 5 ..... \$ 100,000  
 13 6 2. For regular maintenance of state parks and staff time  
 13 7 associated with these activities:  
 13 8 ..... \$ 2,490,000  
 13 9 3. To provide local watershed managers with geographic  
 13 10 information system data for their use in developing,  
 13 11 monitoring, and displaying results of their watershed work:  
 13 12 ..... \$ 195,000  
 13 13 4. For continuing the establishment and operation of water  
 13 14 quality monitoring stations:  
 13 15 ..... \$ 2,955,000  
 13 16 5. For deposit in the public water supply system account  
 13 17 of the water quality protection fund created in section  
 13 18 455B.183A:  
 13 19 ..... \$ 500,000  
 13 20 6. a. For the regulation of animal feeding operations,  
 13 21 including as provided for in chapters 459 and 459A:  
 13 22 ..... \$ 400,000  
 13 23 b. For full-time personnel to conduct air quality  
 13 24 monitoring associated with animal feeding operations under  
 13 25 section 459.207, which may include but is not limited to  
 13 26 staffing required to perform field monitoring and laboratory  
 13 27 functions, including salaries, support, maintenance, and  
 13 28 miscellaneous purposes:  
 13 29 ..... \$ 235,000  
 13 30 c. For the development of an electronic system, including  
 13 31 databases required for the processing of documents including  
 13 32 permit applications and manure management plans, associated  
 13 33 with the regulation of confinement feeding operations as  
 13 34 provided in section 459.302:  
 13 35 ..... \$ 50,000

14 1 7. For the abatement, control, and prevention of ambient  
14 2 air pollution in this state, including measures as necessary  
14 3 to assure attainment and maintenance of ambient air quality  
14 4 standards from particulate matter:

14 5 ..... \$ 325,000

14 6 8. For regulating water quantity from surface and  
14 7 subsurface sources by providing for the allocation and use of  
14 8 water resources, the protection and management of water  
14 9 resources, and the preclusion of conflicts among users of  
14 10 water resources, including as provided in chapter 455B,  
14 11 division III, part 4:

14 12 ..... \$ 500,000

14 13 9. a. For resource conservation and development  
14 14 associated with the development of projects relating to  
14 15 natural resource-based business opportunities:

14 16 ..... \$ 300,000

14 17 b. Local resource conservation and development groups  
14 18 sponsored by county governments or sponsored by soil and water  
14 19 conservation districts shall be eligible to receive moneys  
14 20 appropriated in paragraph "a" on the condition that such  
14 21 groups receive the moneys on a dollar-for-dollar matching  
14 22 basis.

14 23 Sec. 25. IOWA RESOURCES ENHANCEMENT AND PROTECTION FUND.  
14 24 Notwithstanding the amount of the standing appropriation from  
14 25 the general fund of the state to the Iowa resources  
14 26 enhancement and protection fund as provided in section  
14 27 455A.18, there is appropriated from the environment first fund  
14 28 created in section 8.57A to the Iowa resources enhancement and  
14 29 protection fund, in lieu of the appropriation made in section  
14 30 455A.18, for the fiscal year beginning July 1, 2007, and  
14 31 ending June 30, 2008, the following amount, to be allocated as  
14 32 provided in section 455A.19:

14 33 ..... \$ 15,500,000

14 34 Sec. 26. REVERSION.

14 35 1. Except as provided in subsection 2, and notwithstanding  
15 1 section 8.33, moneys appropriated for the fiscal year  
15 2 beginning July 1, 2007, in this division of this Act that  
15 3 remain unencumbered or unobligated at the close of the fiscal  
15 4 year shall not revert but shall remain available for the  
15 5 purposes designated until the close of the fiscal year  
15 6 beginning July 1, 2008, or until the project for which the  
15 7 appropriation was made is completed, whichever is earlier.

15 8 2. Notwithstanding section 8.33, moneys appropriated in  
15 9 this division of this Act to the department of agriculture and  
15 10 land stewardship to provide financial assistance for the  
15 11 establishment of permanent soil and water conservation  
15 12 practices that remain unencumbered or unobligated at the close  
15 13 of the fiscal year shall not revert but shall remain available  
15 14 for expenditure for the purposes designated until the close of  
15 15 the fiscal year beginning July 1, 2010.

15 16 DIVISION V

15 17 CODE LANGUAGE == EMERGENCY PLANNING

15 18 Sec. 27. Section 30.5, subsection 2, Code 2007, is amended  
15 19 to read as follows:

15 20 2. The commission may enter into agreements pursuant to  
15 21 chapter 28E to accomplish any duty imposed upon the commission  
15 22 by the Emergency Planning and Community Right-to-know Act, but  
15 23 the commission shall not compensate any governmental unit for  
15 24 the performance of duties pursuant to such an agreement.  
15 25 Funding for administering the duties of the commission under  
15 26 sections 30.7, 30.8, and 30.9 shall be included in the budgets  
15 27 of ~~the department of workforce development~~, the department of  
15 28 ~~natural resources~~, and the department of public defense,  
15 29 ~~respectively.~~

15 30 Sec. 28. Section 30.7, Code 2007, is amended to read as  
15 31 follows:

15 32 30.7 DUTIES TO BE ALLOCATED TO DEPARTMENT OF ~~WORKFORCE~~  
15 33 ~~DEVELOPMENT~~ NATURAL RESOURCES == EMERGENCY AND HAZARDOUS  
15 34 CHEMICALS.

15 35 Agreements negotiated by the commission and the department  
16 1 of ~~workforce development~~ natural resources shall provide for  
16 2 the allocation of duties to the department of ~~workforce~~  
16 3 ~~development~~ natural resources as follows:

16 4 1. Material safety data sheets or a list for chemicals  
16 5 required to be submitted to the commission under section 311  
16 6 of the Emergency Planning and Community Right-to-know Act, 42  
16 7 U.S.C. } 11021, shall be submitted to the department of  
16 8 ~~workforce development~~ natural resources. Submission to that  
16 9 department constitutes compliance with the requirement for  
16 10 notification to the commission.

16 11 2. Emergency and hazardous chemical inventory forms

16 12 required to be submitted to the commission under section 312  
16 13 of the Emergency Planning and Community Right-to-know Act, 42  
16 14 U.S.C. } 11022, shall be submitted to the department of  
16 15 ~~workforce development~~ natural resources. Submission to that  
16 16 department constitutes compliance with the requirement for  
16 17 notification to the commission.

16 18 3. The department of ~~workforce development~~ natural  
16 19 resources shall advise the commission of the failure of any  
16 20 facility owner or operator to submit information as required  
16 21 under sections 311 and 312 of the Emergency Planning and  
16 22 Community Right-to-know Act, 42 U.S.C. } 11021 and 11022.

16 23 4. The department of ~~workforce development~~ natural  
16 24 resources shall make available to the public upon request  
16 25 during normal working hours the information forms in its  
16 26 possession pursuant to sections 312 and 324 of the Emergency  
16 27 Planning and Community Right-to-know Act, 42 U.S.C. } 11022  
16 28 and 11044.

16 29 5. The department of ~~workforce development~~ natural  
16 30 resources shall compile data or information from the emergency  
16 31 and hazardous chemical inventory forms required to be  
16 32 submitted to the commission under section 312 of the Emergency  
16 33 Planning and Community Right-to-know Act, 42 U.S.C. } 11022.

16 34 Sec. 29. Section 84A.5, subsection 3, Code 2007, is  
16 35 amended to read as follows:

17 1 3. The division of labor services is responsible for the  
17 2 administration of the laws of this state under chapters 88,  
17 3 88A, 88B, 89, 89A, 89B, 90A, 91, 91A, 91C, 91D, 91E, 92, and  
17 4 94A, and ~~sections 30.7 and~~ section 85.68. The executive head  
17 5 of the division is the labor commissioner, appointed pursuant  
17 6 to section 91.2.

17 7 Sec. 30. Section 91.4, subsection 5, Code 2007, is amended  
17 8 to read as follows:

17 9 5. The director of the department of workforce  
17 10 development, in consultation with the labor commissioner,  
17 11 shall, at the time provided by law, make an annual report to  
17 12 the governor setting forth in appropriate form the business  
17 13 and expense of the division of labor services for the  
17 14 preceding year, the number of disputes or violations processed  
17 15 by the division and the disposition of the disputes or  
17 16 violations, and other matters pertaining to the division which  
17 17 are of public interest, together with recommendations for  
17 18 change or amendment of the laws in this chapter and chapters  
17 19 88, 88A, 88B, 89, 89A, 89B, 90A, 91A, 91C, 91D, 91E, 92, and  
17 20 94A, and ~~sections 30.7 and~~ section 85.68, and the  
17 21 recommendations, if any, shall be transmitted by the governor  
17 22 to the first general assembly in session after the report is  
17 23 filed.

#### 17 24 DIVISION VI

#### 17 25 CODE LANGUAGE == LOESS HILLS DEVELOPMENT AND 17 26 CONSERVATION AUTHORITY

17 27 Sec. 31. Section 161D.1, subsection 1, Code 2007, is  
17 28 amended to read as follows:

17 29 1. A loess hills development and conservation authority is  
17 30 created. The counties of Adams, Adair, Audubon, Carroll,

17 31 Cass, Cherokee, Crawford, Fremont, Guthrie, Harrison, Ida,

17 32 Lyon, Mills, Monona, Montgomery, Page, Plymouth,

17 33 Pottawattamie, Sac, Shelby, Sioux, Plymouth, Cherokee, Taylor,

17 34 and Woodbury, Ida, Sac, Monona, Crawford, Carroll, Harrison,

17 35 Shelby, Audubon, Pottawattamie, Cass, Adair, Mills,

18 1 Montgomery, Adams, Fremont, Page, and Taylor are entitled to

18 2 one voting member each on the authority, but membership or

18 3 participation in projects of the authority is not required.

18 4 Each member of the authority shall be appointed by the

18 5 respective board of supervisors for a term to be determined by

18 6 each board of supervisors, but the term shall not be for less

18 7 than one year. An appointee shall serve without compensation,

18 8 but an appointee may be reimbursed for actual expenses

18 9 incurred while performing the duties of the authority as

18 10 determined by each board of supervisors. The authority shall

18 11 meet, organize, and adopt rules of procedures as deemed

18 12 necessary to carry out its duties. The authority may appoint

18 13 working committees that include other individuals in addition

18 14 to voting members.

#### 18 15 DIVISION VII

#### 18 16 CODE LANGUAGE == SPECIAL FUNDS

18 17 Sec. 32. Section 321G.1, Code 2007, is amended by adding

18 18 the following new subsection:

18 19 NEW SUBSECTION. 19A. "State fish and game protection

18 20 fund" means the fund provided for in section 456A.17.

18 21 Sec. 33. Section 321G.6, Code 2007, is amended by adding

18 22 the following new subsections:

18 23 NEW SUBSECTION. 7. Within ten days after the end of each  
18 24 month, a county recorder shall remit moneys from registration  
18 25 fees collected by the county recorder during the previous  
18 26 month to the treasurer of state. The treasurer of state shall  
18 27 credit the moneys to the state fish and game protection fund  
18 28 for appropriation to support snowmobile programs pursuant to  
18 29 section 321G.7.

18 30 NEW SUBSECTION. 8. Before January 10 of each year, a  
18 31 county recorder shall remit unused license forms from the  
18 32 previous year to the department as provided by the department.

18 33 Sec. 34. Section 321G.7, unnumbered paragraph 1, Code  
18 34 2007, is amended by striking the unnumbered paragraph.

18 35 Sec. 35. Section 321G.7, unnumbered paragraph 2, Code  
19 1 2007, is amended to read as follows:

19 2 ~~1. The department shall remit the~~ This section applies to  
19 3 ~~moneys from snowmobile fees collected pursuant to this chapter~~  
19 4 ~~which are to be remitted to the treasurer of state and~~  
19 5 ~~credited to the state fish and game protection fund, including~~  
19 6 ~~user permit fees collected pursuant to section 321G.4A, to the~~  
19 7 ~~treasurer of state, who shall place the money in a special~~  
19 8 ~~snowmobile fund registration fees collected pursuant to~~  
19 9 ~~section 321G.6, safety certificate fees collected under~~  
19 10 ~~section 321G.24, of title fees collected pursuant to section~~  
19 11 ~~321G.30, and application fees for security interests as~~  
19 12 ~~provided in section 321G.32.~~

19 13 ~~2. The money is~~ Moneys credited to the state fish and game  
19 14 ~~protection fund from snowmobile fees are~~ are appropriated to the  
19 15 department ~~for the to support snowmobile programs of the~~  
19 16 ~~state.~~ The programs shall include grants, subgrants,  
19 17 contracts, or cost-sharing of snowmobile programs with  
19 18 political subdivisions or incorporated private organizations  
19 19 or both in accordance with rules adopted by the commission.  
19 20 Snowmobile fees may be used to support snowmobile programs on  
19 21 a usage basis. At least fifty percent of the ~~special fund~~  
19 22 ~~moneys~~ shall be made available for political subdivisions or  
19 23 incorporated private organizations ~~or both.~~ Moneys from the  
19 24 ~~special fund that are not used by the political subdivisions~~  
19 25 ~~or incorporated private organizations or both shall remain in~~  
19 26 ~~the state fish and game protection fund and may be used by the~~  
19 27 ~~department for the administration of the snowmobile programs.~~  
19 28 ~~Notwithstanding section 8.33, moneys in the special fund shall~~  
19 29 ~~not revert to the general fund of the state at the end of a~~  
19 30 ~~fiscal year. Notwithstanding section 12C.7, subsection 2,~~  
19 31 ~~interest or earnings on moneys in the special fund shall~~  
19 32 ~~remain in the fund.~~

19 33 Sec. 36. Section 321G.24, subsection 4, Code 2007, is  
19 34 amended to read as follows:

19 35 ~~4. The permit safety certificate fees collected under~~  
20 1 ~~pursuant to this section shall be credited to the special~~  
20 2 ~~snowmobile state fish and game protection fund created under~~  
20 3 ~~for appropriation as provided in section 321G.7 and shall be~~  
20 4 ~~used for safety and educational programs.~~

20 5 Sec. 37. Section 321G.30, subsection 5, Code 2007, is  
20 6 amended to read as follows:

20 7 ~~5. Five dollars of the certificate of title fees collected~~  
20 8 ~~under this section shall be remitted by the county recorder to~~  
20 9 ~~the treasurer of state for deposit in the special snowmobile~~  
20 10 ~~to be credited to the state fish and game protection fund~~  
20 11 ~~created under for appropriation as provided in section 321G.7.~~  
20 12 The remaining five dollars shall be retained by the county and  
20 13 deposited into the general fund of the county.

20 14 Sec. 38. Section 321G.32, subsection 1, paragraph b, Code  
20 15 2007, is amended to read as follows:

20 16 ~~b. The application fee for a security interest is ten~~  
20 17 ~~dollars. Five dollars of the fee shall be credited to the~~  
20 18 ~~special snowmobile state fish and game protection fund created~~  
20 19 ~~under for use as provided in section 321G.7. The remaining~~  
20 20 ~~five dollars shall be retained by the county and deposited~~  
20 21 ~~into the general fund of the county.~~

20 22 Sec. 39. Section 331.427, subsection 1, Code 2007, is  
20 23 amended to read as follows:

20 24 ~~1. Except as otherwise provided by state law, county~~  
20 25 ~~revenues from taxes and other sources for general county~~  
20 26 ~~services shall be credited to the general fund of the county,~~  
20 27 ~~including revenues received under sections 9I.11, 101A.3,~~  
20 28 ~~101A.7, 123.36, 123.143, 142B.6, 176A.8, 321.105, 321.152,~~  
20 29 ~~321G.7, 321I.8, section 331.554, subsection 6, sections~~  
20 30 ~~341A.20, 364.3, 368.21, 423A.7, 428A.8, 430A.3, 433.15,~~  
20 31 ~~434.19, 445.57, 453A.35, 458A.21, 483A.12, 533.24, 556B.1,~~  
20 32 ~~583.6, 602.8108, 904.908, and 906.17, and the following:~~  
20 33 Sec. 40. Section 452A.79A, subsection 1, as enacted by

20 34 2006 Iowa Acts, chapter 1179, section 60, is amended to read  
20 35 as follows:

21 1 1. A marine fuel tax fund is created under the authority  
21 2 of the department of natural resources.  
21 3 a. The fund shall consist of all revenues derived from the  
21 4 excise tax on the sale of motor fuel used in watercraft as  
21 5 provided in section 452A.84 and other moneys appropriated to  
21 6 the fund.  
21 7 b. Notwithstanding section 12C.7, subsection 2, interest  
21 8 or earnings on moneys in the fund shall be credited to the  
21 9 fund. Notwithstanding section 8.33, any moneys credited to  
21 10 the fund from another fund shall not revert to the fund from  
21 11 which appropriated at the close of a fiscal year.

21 12 Sec. 41. Section 452A.79A, subsection 2, unnumbered  
21 13 paragraph 1, as enacted by 2006 Iowa Acts, chapter 1179,  
21 14 section 60, is amended to read as follows:  
21 15 Moneys in the marine fuel tax fund in a fiscal year shall  
21 16 be used as appropriated by the general assembly are  
21 17 appropriated to the department of natural resources for use by  
21 18 the department of natural resources in its recreational  
21 19 boating program, which may include but is not limited to any  
21 20 of the following:

#### 21 21 EXPLANATION

21 22 GENERAL. This bill relates to agriculture and natural  
21 23 resources by making appropriations for the 2007=2008 fiscal  
21 24 year to support related entities, including the department of  
21 25 agriculture and land stewardship, the department of natural  
21 26 resources, the department of economic development, and Iowa  
21 27 state university.

21 28 The bill appropriates moneys to the department of  
21 29 agriculture and land stewardship and the department of natural  
21 30 resources. The appropriations are made to support those  
21 31 departments for administration, regulation, and programs. The  
21 32 bill also provides moneys to support specific programs or  
21 33 projects administered by those departments. The bill  
21 34 appropriates moneys from a number of sources, including the  
21 35 general fund of the state, the state fish and game protection  
22 1 fund, and the groundwater protection fund.

22 2 DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP. For the  
22 3 department of agriculture and land stewardship, moneys are  
22 4 appropriated in order to support its divisions.

22 5 The bill appropriates moneys from the general fund to  
22 6 support animal husbandry including for the administration of  
22 7 the chronic wasting disease program, horse and dog racing,  
22 8 dairy products control, and avian influenza control. The bill  
22 9 supports programs for plant protection and crop production,  
22 10 including apiary law, and the control of pests. The bill also  
22 11 appropriates moneys to reimburse commissioners of soil and  
22 12 water conservation districts for expenses. The bill provides  
22 13 for food marketing and security. It provides for a senior  
22 14 farmers market nutrition program. It also provides for an  
22 15 emergency veterinarian rapid response program, and the  
22 16 regulation of organic agricultural products.

22 17 DEPARTMENT OF NATURAL RESOURCES. For the department of  
22 18 natural resources, moneys are appropriated from the general  
22 19 fund in order to support its divisions.

22 20 The bill makes appropriations from other funds. The bill  
22 21 appropriates moneys to the department of natural resources  
22 22 from the state fish and game protection fund to support  
22 23 programs related to fish and wildlife. The bill appropriates  
22 24 moneys from the groundwater protection fund to support  
22 25 groundwater quality. The bill appropriates moneys from the  
22 26 national pollutant discharge elimination system permit fund to  
22 27 the department of natural resources for processing permit  
22 28 applications.

22 29 The bill includes miscellaneous provisions. An  
22 30 appropriation is made from the unassigned revenue fund  
22 31 administered by the Iowa comprehensive underground storage  
22 32 tank fund board to the department of natural resources for  
22 33 administration and expenses of the underground storage tank  
22 34 section.

22 35 The bill provides that the department of natural resources  
23 1 may use additional funds for staffing to reduce the  
23 2 department's floodplain permit backlog and implementing the  
23 3 federal maximum daily load program.

23 4 IOWA STATE UNIVERSITY. The bill appropriates moneys to  
23 5 Iowa state university from the agricultural remediation fund  
23 6 to continue a project to perform water quality research to  
23 7 determine methods to reduce risks to water quality associated  
23 8 with open feedlot runoff and from the general fund of the  
23 9 state for the operation of the veterinary diagnostic

23 10 laboratory. It includes provisions expressing legislative  
23 11 intent for future appropriations.

23 12 ENVIRONMENT FIRST FUND. The bill appropriates funding from  
23 13 the environment first fund to the departments of agriculture  
23 14 and land stewardship, economic development, and natural  
23 15 resources to support a number of programs and projects. The  
23 16 bill appropriates moneys from the environment first fund to  
23 17 the resources enhancement and protection fund in lieu of the  
23 18 \$20 million appropriated by statute from the general fund of  
23 19 the state.

23 20 EMERGENCY PLANNING. The bill amends Code chapter 30 to  
23 21 transfer authority and duties associated with the federal  
23 22 Emergency Planning and Community Right-to-know Act, relating  
23 23 to emergency and hazardous chemicals and recordkeeping, from  
23 24 the department of workforce development to the department of  
23 25 natural resources.

23 26 The bill amends Code section 161D.1 to add Guthrie county  
23 27 to the counties who are members of the loess hills development  
23 28 and conservation authority and to place the counties in  
23 29 alphabetical order.

23 30 SPECIAL FUNDS. The bill amends provisions in Code chapter  
23 31 321G, which provide that snowmobile fees collected by the  
23 32 county recorder are to be remitted to the department of  
23 33 natural resources for deposit into a special snowmobile fund.  
23 34 The division eliminates the snowmobile fund and provides that  
23 35 the snowmobile fees are to be deposited into the state fish  
24 1 and game protection fund to support snowmobile programs.

24 2 The bill amends Code section 452A.79A as enacted by the  
24 3 general assembly in 2006 (2006 Iowa Acts, chapter 1179,  
24 4 section 60) which creates a marine fuel tax fund under the  
24 5 authority of the department of natural resources. The fund  
24 6 consists of revenues derived from the excise tax on the sale  
24 7 of motor fuel used in watercraft. The bill provides that the  
24 8 marine fuel tax fund is a trust fund with a standing  
24 9 appropriation for use by the department without an annual  
24 10 appropriation made by the general assembly.

24 11 LSB 1127JB 82  
24 12 da:jp/je/5.1